

Page 1

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
STALIN RODRIGO REYES ESPINOZA,

PLAINTIFF,

-against-

Index No.:

515197/19

DAVS PARTNERS LLC AND KALNITECH  
CONSTRUCTION COMPANY,

DEFENDANTS.

-----X  
DATE: April 11, 2022

TIME: 11:00 a.m.

EXAMINATION BEFORE TRIAL of the  
Defendant, DAVS PARTNERS LLC, taken by the  
respective parties, pursuant to a Court  
Order, held at the above date and time,  
before Aileen Koven, a Notary Public of the  
State of New York.

A P P E A R A N C E S:

GORAYEB & ASSOCIATES

Attorneys for the Plaintiff

100 William Street

New York, New York 10038

BY: KENNETH KLEIN, ESQ.

RICHMAN & LEVINE, P.C

Attorneys for the Defendant

DAVS PARTNERS LLC

666 Old Country Road

Garden City, New York 11530

BY: KEITH RICHMAN, ESQ.

MICHAEL SWIMMER LAW OFFICES

Attorneys for the Defendant

KALNITECH CONSTRUCTION COMPANY

605 Third Avenue

New York, New York 10158

BY: ROBERT BRIGANTIC, ESQ.

\* \* \*

1 HUDSON

2 A. Up until the incident the  
3 project go on for about six months.

4 Q. Has the project been completed?

5 A. Yes.

6 Q. As of when?

7 A. Exact date, I do not know. But  
8 from the accident I think it was maybe like  
9 another three months. Everything was  
10 finished and they moved in.

11 Q. Are you familiar with the term  
12 general contractor?

13 A. Yes.

14 Q. What is your understanding of  
15 that term?

16 A. So a general contractor is  
17 hired to do a project. So in other words,  
18 the general contractor on that job was Gus.  
19 He was doing the build out and then we were  
20 doing the electric which I work for A.S.K.  
21 Electric. So I was doing the build out. I  
22 do not take orders from Gus. I take it  
23 from David.

24 MR. BRIGANTIC: Move to strike  
25 that. Go ahead.

1 HUDSON

2 came in to finish up the project.

3 Q. Is Jorge affiliated with Jim  
4 Associates or is he with another company?

5 A. That I do not know.

6 Q. You don't know if Jorge  
7 Moscoso is employed by Jim Associates; is  
8 that correct?

9 A. No.

10 Q. You see where it says customer  
11 Gus?

12 A. Yes.

13 Q. You don't know who Gus works  
14 for; correct?

15 A. I don't know who Gus works for.  
16 I know Gus. Gus was the general contractor  
17 doing the project.

18 MR. BRIGANTIC: Move to strike  
19 that as nonresponsive.

20 Q. Do you know if there was any  
21 contract between Gus and Jim Associates  
22 other than this proposal?

23 A. No.

24 Q. Did you ever see any other  
25 proposals between Jim Associates and Gus?